

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home (Courts.D) Department – Rules – Recommendations of First National Judicial Pay Commission (Justice Jagannath Shetty Commission) in respect of Staff of the Sub-ordinate Judiciary - Amendment to Andhra Pradesh Judicial Ministerial Service Rules, 2003 – Notification - Orders – Issued.

LAW (LA&J-HOME-COURTS.D) DEPARTMENT

G.O.Ms.No. 100

Dated:08.08.2013,
Read the following:-

1. Andhra Pradesh Judicial Ministerial Service Rules, 2003, issued in G.O.Ms.No.129, Law (LA&J-Home-Courts.D) Department, dated:12.11.2003.
2. G.O.MsNo.50, Law (LA&J-Home-Cts.D) Department , dated:23.4.2009.
3. From the Registrar (Administration.), High Court of Andhra Pradesh, Hyderabad, Lr.Roc.No.724/2000-C1(1), dt.7.12.2010, 22-10-2011, 25-4-2013 and 10-6-2013.

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ORDER:

In the G.O. second read above, pursuant to the recommendations of the First National Judicial Pay Commission (justice Jagannath Shetty Commission) and the orders of the Hon'ble Supreme Court of India, certain orders in addition to and in modification to the extent indicated therein to Andhra Pradesh Judicial Ministerial Service Rules, 2003 were issued.

2. In the letters third read above, the Registrar (Administration), High Court of Andhra Pradesh, Hyderabad, while stating that during examination, the High Court found that the orders issued in the G.O. second read above is silent on certain important aspects which are covered by the recommendations of the First National Judicial Pay Commission and approved by the Hon'ble Apex Court and felt inter alia that it is expedient to make certain amendments to the A.P. Judicial Ministerial Service Rules and initially sent proposals to the government for issue of amendments to the rules. Further, on certain issues the Registrar (Administration) communicated the clarifications also in the matter.

3. Government after careful consideration of the matter have decided to accept the same and hereby issue orders for making amendments to the Andhra Pradesh Judicial Ministerial Service Rules, 2003 as proposed by the High Court of Andhra Pradesh, Hyderabad.

4. The following Notification will be published in Part-I – Extra-ordinary issue of the Andhra Pradesh Gazette:-

Notification

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India of all other powers hereunto enabling the Governor of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Judicial Ministerial Service Rules, 2003 issued in G.O.Ms No.129, Law (LA&J-Home Courts.D) Department dated 12-11-2003 and published in A.P. Gazette, Part-I-Extraordinary No.512 dated 5-12-2003 at pp.1-40.

AMENDMENTS

In the said Rules,-

1. for rule 5, the following shall be substituted, namely

“5. Constitution: The service shall consist of the following category of posts in view of the implementation of recommendations of Hon'ble Justice Jagannath Shetty Commission report and Andhra Pradesh Judicial Ministerial Service Rules, 2003.

Category-1: Chief Administrative Officers: (formerly known as Administrative Officer).

Category-2: Senior Superintendents (Bifurcation of Superintendent in APJMS Rules, 2003 ie., formerly known as Head Clerk District Court, Additional District Courts, Sheristadar of Sub Courts and Central Nazir of District Courts).

(P.T.O.),

- Category-3: Superintendents (Bifurcation of Superintendent in APJMS Rules, 2003 ie., formerly known as Translators, Head Clerks of Munsif Courts, U.D. Record Keepers of District Courts and Copying Superintendent)
- Category-4: Stenographers Grade-I (Restructured category of Personal Assistant)
- Category-5: Stenographers Grade-II (Restructured category of Personal Assistant)
- Category-6: Stenographers Grade-III (Restructured category of Personal Assistant)
- Category-7: Senior Assistants (formerly known as Upper Division Clerk).
- Category-8: Junior Assistants (formerly known as L.D. Clerk)
- Category-9: Typists
- Category-10: Field Assistants (formerly known as Bailiffs / Amins)
- Category-11: Examiners
- Category-12: Copyists

Note:1: The re-designation of the posts as above will be implemented with effect from 01-4-2003 and will not affect the gradation or seniority of persons holding posts as on the date of implementation of the G.O.

Note:2: The posts in categories 1 to 5 and 7 above are selection posts, promotion to which shall be made on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal.”;

2. for rule 6, the following shall be substituted, namely:-

“6: Method of appointment and appointing authority

Subject to the other provisions in these rules, the method of appointment and appointing authority for several categories shall be as follows.

| Category and name of the post | Method of appointment | Appointing authority |
|----------------------------------|---|----------------------|
| 1. Chief Administrative Officers | By Promotion of Senior Superintendents (Category-2) and Stenographer Grade-I (Category-4) in the ratio of 5:1 | District Judge |
| 2. Senior Superintendents | By promotion of Superintendents (Category-3) | District Judge |
| 3. Superintendents | By promotion of Senior Assistants (Category-7) | District Judge |
| 4 Stenographers Grade-I | By promotion of Stenographers grade II (Category-5) | District Judge |
| 5. Stenographers Grade-II | By Promotion of Stenographers Grade III (Category -6) | District Judge |
| 6. Stenographers Grade III | 1. 60% By direct recruitment 2. 40% By promotion of Junior Assistants (Category-8)/typists (Category-9) from a combined seniority | District Judge |
| 7. Senior Assistants | By promotion of Junior Assistants (Category-8)/Typists (Category-9) and Field Assistants (Category-10) by fixing the ratio of 5:1 in a cycle of Six (6) vacancies as prescribed in Note 2 | District Judge |
| 8. Junior Assistants | 1 50% By direct recruitment 2 50% By promotion of Examiners (Category-11)/Copyists (Category-12) from the combined seniority and appointment by transfer from the post of Record Assistants, Drivers and Process Servers by fixing ratio of 8:4:1:3 in a cycle of 16 vacancies as prescribed in Note 2 | District Judge |

| | | |
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| 9. Typists | 1 50% By direct recruitment 2 50% By promotion of Examiners (Category-11)/Copyists (Category-12) from the combined seniority and appointment by transfer from the post of Record Assistants and Process Servers by fixing ratio of 9:4:3 in a cycle of 16 vacancies as prescribed in Note 2 | District Judge |
| 10. Field Assistants | 1. 33 1/3% By direct recruitment 2. 66 2/3% By appointment by transfer of process Server in A.P Last Grade Service Rules | District Judge |
| 11. Examiners | 1. 50% By Direct recruitment 2. 50% By appointment by transfer of Attenders in A.P. Last Grade Service Rules | District Judge |
| 12. Copyists | 1. 50% By direct recruitment 2. 50% By appointment by transfer of attenders in A.P. Last Grade Service Rules | District Judge |

Note: 1 The combined seniority list shall be prepared as referred supra with reference to the date of their regular appointment to the respective categories.

Note: 2**Cycle for Promotion of Senior Assistants:**

- 1 Junior Assistant/ Typist
- 2. Junior Assistant/ Typist
- 3. Junior Assistant/ Typist
- 4 Field Assistant
- 5 Junior Assistant/ Typist
- 6.Junior Assistant/ Typist

Cycle for Promotion of Junior Assistants

- 1. Examiner / Copyist
- 2. Examiner / Copyist
- 3. Record Assistant
- 4. Process Server
- 5. Examiner / Copyist
- 6. Examiner / Copyist
- 7. Record Assistant
- 8. Driver
- 9. Examiner / Copyist
- 10. Examiner / Copyist
- 11. Record Assistant
- 12. Process Server
- 13. Examiner / Copyists
- 14. Examiner / Copyists
- 15. Record Assistant
- 16. Process Server

If there is no qualified and suitable member in above 16 Points Cycle at any level, the turn lapse and the said vacancies shall be filled by next turn in the order of rotation No account shall be taken of any such lapsed turns in filing future vacancies.

Cycle for Promotion of Typists

- 1. Examiner / Copyist
- 2. Examiner / Copyist
- 3. Examiner / Copyist
- 4. Record Assistant
- 5. Process Server
- 6. Record Assistant
- 7. Examiner / Copyist
- 8. Examiner / Copyist
- 9. Examiner / Copyist
- 10. Record Assistant
- 11. Process Server
- 12 Record Assistant
- 13. Examiner / Copyist
- 14. Examiner / Copyist
- 15. Examiner / Copyist
- 16. Process Server

If there is no qualified and suitable member in above 16 Points Cycle at any level, the turn lapse and the said vacancies shall be filled by next turn in the order of rotation. No account shall be taken of any such lapsed turns in filing future vacancies.

Note 3: The appointing authorities shall exercise their power subject to the control of High Court.”;

3. for rule 8, the following shall be substituted, namely:-

“8 : Qualifications :

- (a) No person shall be eligible for appointment to the categories specified in Column (1) of Annexure to these rules by the method specified in Column (2) unless such person possessed the qualification specified in the corresponding entry in column (3) thereon
- (b) **Linguistic qualification:** A candidate shall not be eligible for appointment if he does not possess an adequate knowledge to the language or languages of the district in which he is to be appointed. The language or languages of the districts is as specified in Annexure – III to these rules.

Provided that where two or more languages are specified for a district and sufficient number of candidates who have an adequate knowledge of all the languages are not available, candidates who have an adequate knowledge of any one of the said languages according to the needs of the District may be selected and such candidates shall be eligible for appointment in that district.”;

4. In rule 8 for the Annexure, the following shall be substituted, namely:-

**“ANNEXURE
(RULE 8)**

| Sl.No | Category and name of the Post | Method of appointment and appointing Authority | Qualifications |
|-------|-------------------------------|--|---|
| 1 | Chief Administrative Officer | By Promotion from Category 2 & 4 | Must be a Graduate. Must have passed prescribed Departmental Tests i.e., Civil Judicial Test – I & II, Criminal Judicial Test, Accounts Test for subordinate Officers Part-I and Translation Test |
| 2 | Senior Superintendent | By promotion from Category 3 | Intermediate Must have passed prescribed Departmental Tests i.e., Civil Judicial Test Part-I & II. Criminal Judicial Test, Accounts Test for subordinate officers Part-I and Translation Test |
| 3. | Superintendent | By promotion from Category 7 | Intermediate Must have passed prescribed Departmental Tests i.e., Civil Judicial Test Part-I & II. Criminal Judicial Test, Accounts Test for subordinate officers Part-I and Translation Test i.e., (i) Translation from English to the Regional Language and (ii) Translation from Regional Language to English) |
| 4. | Stenographers Grade-I | By promotion from Category 5 | Intermediate |
| 5. | Stenographers Grade-II | By promotion from Category 6 | Intermediate |
| 6. | Stenographer Grade III | By direct recruitment OR By Promotion from Category 8 & 9 | Must have passed Intermediate examination conducted by the State Board of Intermediate education or its equivalent and must have passed A.P. Govt. Technical Examination English typewriting by Higher Grade and must have passed A.P. Govt. Technical examination in English Shorthand by higher grade or equivalent Provided that if candidates who have passed the examination by Higher Grade are |

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| | | | not available those who have passed the examination by the lower grade may be considered. Must have knowledge or qualification in computer operation. |
| 7 | Senior Assistant | By promotion from categories 8, 9 & 10 | Intermediate. Must have passed prescribed Departmental Tests ie., Civil Judicial Test Part-I & II, Criminal Judicial Test and Accounts Test for Subordinate Officers Part-I |
| 8 | Junior Assistant | By direct recruitment Or By promotion | Must have passed Intermediate examination conducted by the State Board of Intermediate Education or its equivalent. Must have knowledge or qualification in computer operation |
| 9. | Typist | By direct recruitment OR By promotion | <u>For direct recruitment</u> Must have passed Intermediate examination conducted by the State Board of Intermediate Education or its equivalent. Must have passed A.P. Govt Technical Examination in English Typewriting by Higher Grade Qualification Must have knowledge or qualification in Computer Operation. <u>For Promotion</u> Must have passed Intermediate examination conducted by the State Board of Intermediate Education or its equivalent. Must have passed A.P. Govt. Technical Examination in English Typewriting by Higher grade qualification Provided that candidates who have passed the examination by the higher grade are not available those who have passed the examination by the Lower Grade may be considered. Must have knowledge or qualification in computer operation |
| 10 | Field Assistant | By direct recruitment Or By promotion | Must have passed intermediate conducted by State Board of Intermediate Education its equivalent |
| 11 | Examiner | By direct recruitment OR By promotion | Must have passed Intermediate examination conducted by the State Board of Intermediate Education or its equivalent |
| 12 | Copyist | By direct recruitment Or By promotion | <u>For direct recruitment</u> Must have passed Intermediate examination conducted by the State Board of Intermediate Education or its equivalent. Must have passed A.P. Govt Technical Examination in English typewriting by Higher grade qualification. Provided that candidates who have passed the examination by the Higher Grade are not available those who have passed the examination by the Lower grade may be considered. <u>For Promotion</u> Intermediate Must have passed I A.P. Govt Technical Examination in English typewriting by Higher grade qualification, or Lower Grade qualification. |

Note No.1 :-

A person who has appeared for the test on the date of occurrence of the vacancy in the higher post and passed the same subsequent thereto shall be treated as qualified on the date following the date of completion of the

test of tests, if as on that there is a vacancy in higher category remaining unfilled for want of a test qualified candidate.

Note No.2 :- A person appointed to a post in accordance with the rules applicable to him at the time of his appointment shall not be required to acquire higher qualifications prescribed for that post subsequent to his appointment”.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A. SANTOSH REDDY,
SECRETARY TO GOVERNMENT,
LEGISLATIVE AFFAIRS AND JUSTICE.

To

The Commissioner, Printing, Stationery and Stores, Hyderabad,
The Registrar (Administration), High Court of Andhra Pradesh, Hyderabad,
The Assistant Registrar, Supreme Court of India, New Delhi (with covering letter)
The Advocate-on-Record, Supreme Court of India, O/o Resident Commissioner, Andhra Pradesh Bhavan, New Delhi.

The Registrar, Andhra Pradesh Administrative Tribunal,
The Accountant General, Andhra Pradesh, Hyderabad
The Pay and Accounts Officer, Hyderabad,
The Secretary to Government of India, Ministry of Law and Justice, New Delhi.

Copy to

The President, Andhra Pradesh State Judicial Employees Association, Nampally Criminal Court, Hyderabad,

The Finance (PC-I) Department

The Law (OP) Department

The General Administration (Cabinet, Claims, OP, Services-A & Special A) Department,

The Director of Treasuries and Accounts, Andhra Pradesh, Hyderabad,

The Joint Director, Pension Pay Office, MJ Road, Hyderabad

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER.

